

STATE OF WASHINGTON, )  
 )  
 Plaintiff, ) No. )  
 )  
 vs. )  
 )  
 ) ORDER FOR INITIAL  
 , ) COMPETENCY EVALUATION  
 ) (DEFENDANT IN CUSTODY)  
 Defendant. )  
 )  
 )  
 )

THE COURT FINDS the defendant is in need of psychiatric examination to determine his/her competency to enter a plea and to stand trial.

IT IS ORDERED that the staff at Western State Hospital (WSH) shall examine and report upon the mental condition of the defendant. The examination shall take place in a King County

1 Corrections Facility (downtown Seattle or Regional Justice Center) unless the evaluator  
2 determines that the examination should take place at WSH.

3 \_\_\_\_\_ For the purposes of expediting examination, the defendant waives the statutory  
4 requirement of two evaluators.

5 If WSH shall conclude that the examination should take place at WSH, WSH staff shall  
6 promptly notify the parties. The defendant shall then be committed to WSH for a period not to  
7 exceed 15 days from the date of admission to the Hospital.

8 IT IS FURTHER ORDERED that WSH staff furnish a report of the results of the  
9 evaluation to this court as soon as practicable, but if the defendant is evaluated at WSH in no  
10 event less than 24 hours preceding the transfer of the defendant back to the jail. The report shall  
11 set forth the findings of the staff including the defendant's mental condition, whether he/she is  
12 competent to stand trial and to enter a plea to the charge(s). If the report concludes that the  
13 defendant is incompetent to proceed, the report shall also indicate whether the staff is of the  
14 opinion that psychotropic medications will be required to assist him/her to regain competency,  
15 and if so whether any less intrusive form of treatment would likely be sufficient to restore  
16 competency.

17 The report shall also include an opinion as to whether the defendant is a substantial  
18 danger to others or presents a substantial likelihood of committing criminal acts jeopardizing  
19 public safety or security, unless kept under further control by the Court or other persons or  
20 institutions. If either of these risks is present, the report shall indicate whether any treatment less  
21 restrictive than detention in a state mental hospital is appropriate and, if so, describe that  
22 treatment. If neither risk is present, the report shall indicate whether the defendant nevertheless is  
23 in need of supervision and, if so, specify appropriate terms of conditional release.

1 The report to the court shall include a recommendation as to whether the defendant  
2 should be examined by a mental health professional for purposes of filing a petition under RCW  
3 71.05.

4 Copies of the report shall be provided to the court, the attorney's for the parties, the King  
5 County Department of Adult Detention (Psychiatric Service Administrator), and the County  
6 Designated Mental Health Professional for King County.

7 IT IS FURTHER ORDERED that if the examination is to occur at WSH, the defendant  
8 shall be transported to that hospital by the King County Department of Public Safety as soon as  
9 possible and be returned to the King County Jail upon completion of such evaluation by the King  
10 County Department of Public Safety.

11 IT IS FURTHER ORDERED that this action be stayed during this examination period  
12 and until this Court enters an order finding the defendant to be competent to proceed.

13 THE NEXT HEARING in this case shall be:

14 DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

15 PLACE: \_\_\_\_\_

16  
17 DONE IN OPEN COURT this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

18  
19 \_\_\_\_\_  
20 Judge

21 Presented by:

22 \_\_\_\_\_  
23 Deputy Prosecuting Attorney, WSBA #

1 Approved for entry; copy received:

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4 Attorney for Defendant, WSBA#  
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